

NO. 11676  
FILED WITH SECRETARY OF STATE  
Date Filed 1-13-87  
[Signature]  
Secretary of State

CONSTRUCTION  
INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
THE STATE OF ARIZONA  
AND  
THE CITY OF LAKE HAVASU CITY

A.S. CONTRACT NO. K86-2007

THIS AGREEMENT, entered into pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, by and between the STATE OF ARIZONA, acting by and through the ARIZONA DEPARTMENT OF TRANSPORTATION, hereinafter called "STATE", and the City of LAKE HAVASU CITY hereinafter called "CITY",

WHEREAS, the State is empowered by A.R.S. Section 28-108 to enter into this Agreement and the Director of the ARIZONA DEPARTMENT OF TRANSPORTATION has delegated to the undersigned his authorization to execute this Agreement on behalf of the STATE:

WHEREAS, the CITY is empowered by A.R.S. Section 48-572 to enter into this Agreement, and acting by and through its duly elected governing body, has by that certain resolution attached hereto and incorporated herein as Exhibit "A" resolved to enter into this Agreement and has authorized the undersigned as its representative to execute the same on behalf of said CITY;

WHEREAS, for the safety and protection of the traveling public, it is necessary and desirable that certain improvements and/or modifications be made on the State Highway System in the City. This work shall include the installation of new traffic signals at the following location:

On SR 95 at South Palo Verde - MP 183.09 in Lake Havasu City  
Project #F-063-2-915

NOW, THEREFORE, in consideration of the mutual covenants hereinafter to be kept by all parties, it is mutually agreed as follows:

1. The STATE shall advertise for bids and award a contract for the installation of the traffic signals on SR 95 at South Palo Verde in Lake Havasu City.

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On SR 95 at South Palo Verde - MP 183.09 in Lake Havasu City  
Project #F-063-2-915

NOW, THEREFORE, in consideration of the mutual covenants hereinafter to be kept by all parties, it is mutually agreed as follows:

1. The STATE shall advertise for bids and award a contract for the installation of the traffic signals on SR 95 at South Palo Verde in Lake Havasu City.

2. The CITY, upon completion of the work shall reimburse the STATE for 50% of the final construction and engineering costs at SR 95 at South Palo Verde - MP 183.09 not to exceed \$40,000 for its share of the cost of this work.

3. This Agreement shall be considered as terminated when all conditions as set forth herein have been complied with and the traffic signals are complete, in place, and functional.

4. All parties are hereby put on notice that this Agreement is subject to cancellation by the Governor pursuant to Arizona Revised Statutes Section 38-511.

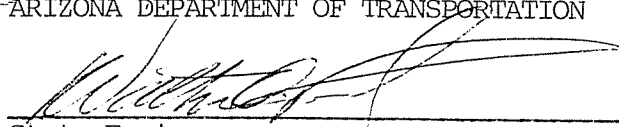
5. This Agreement shall be filed with the Secretary of State and shall become effective upon filing.

6. Attached to this Agreement and incorporated herein by reference is Exhibit "B" which is a copy of the written determination of the appropriate attorney that the CITY is authorized under the laws of this State to enter into this Agreement and that it is in proper form.

7. In the event of a dispute, the parties agree to use arbitration to the extent required by A.R.S. §12-1518.

STATE OF ARIZONA  
ARIZONA DEPARTMENT OF TRANSPORTATION

BY:

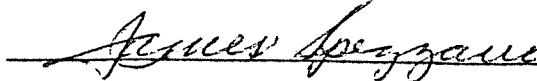
  
State Engineer

DATE:

15 Dec. 1986

CITY OF LAKE HAVASU CITY

BY:



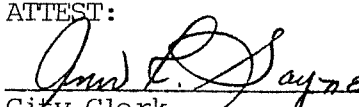
TITLE:

Mayor

DATE:

December 1, 1986

ATTEST:

  
City Clerk

Date: December 1, 1986


Project #F-063-2-915  
SR 95 at South Palo Verde - MP 183.09

LAKE HAVASU CITY

RESOLUTION

BE IT RESOLVED ON THIS 23rd day OF October, 1986,  
that I, CHARLES L. MILLER, as Director, ARIZONA DEPARTMENT OF  
TRANSPORTATION, have determined that it is in the best interests of  
the State of Arizona that the DEPARTMENT OF TRANSPORTATION, acting by  
and through the Highways Division, enter into a Construction Inter-  
governmental Agreement with Lake Havasu City for the installation of  
traffic signals which are warranted based on a traffic engineering study.  
Lake Havasu City will provide 50 per cent of the cost of the signals.  
THEREFORE, authorization is hereby given to draft said Agreement which,  
upon completion, shall be submitted for approval and execution by the  
State Engineer.

JUAN MARTIN

  
Acting Director  
ARIZONA DEPARTMENT OF TRANSPORTATION

Resolution No. 86-419

RESOLUTION APPROVING CONSTRUCTION INTERGOVERNMENTAL  
AGREEMENT AND LETTER ADDENDUM BETWEEN LAKE HAVASU CITY AND  
THE ARIZONA DEPARTMENT OF TRANSPORTATION  
S.R. 95 AT PALO VERDE BOULEVARD SOUTH

WHEREAS, the Arizona Department of Transportation has conducted a study of the intersection of State Route 95 and Palo Verde Boulevard South, and

WHEREAS, the Arizona Department of Transportation has determined that the intersection meets the warrants for a traffic signal and recommends that a signal be considered for the intersection, and

WHEREAS, Lake Havasu City concurs with the Arizona Department of Transportation's recommendation,

THEREFORE BE IT RESOLVED, that the City Council hereby authorizes the Mayor to execute the Construction Intergovernmental Agreement and Letter Addendum with the Arizona Department of Transportation.

Done by order of the Lake Havasu City Council this 26th day of November, 1986.

ATTEST:


APPROVED:

  
Ann R. Sayne, City Clerk

  
James S. Spezzano, Mayor

APPROVED AS TO FORM:

REVIEWED BY:

  
Vincent A. Iannone,  
City Attorney

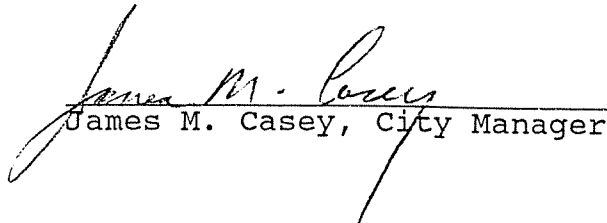
  
James M. Casey, City Manager

EXHIBIT "B"

APPROVAL OF THE CITY ATTORNEY

I hereby state that I have reviewed the proposed Inter-governmental Agreement between the State of Arizona, ARIZONA DEPARTMENT OF TRANSPORTATION, and the City of LAKE HAVASU CITY, and declare the agreement to be in proper form and within the powers and authority granted under the laws of the State of Arizona.

DATED this 5<sup>th</sup> day of November, 19 86.

\_\_\_\_ City of LAKE HAVASU CITY

BY: V. A. J.  
CITY ATTORNEY

EXHIBIT "C"

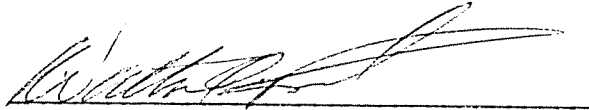
LETTER ADDENDUM

In accordance with paragraph #6 of the Agreement, AG #79-699, Secretary of State #5746 dated October 9, 1979 for the operation and maintenance of traffic signals and/or highway lighting between the STATE OF ARIZONA and the City of LAKE HAVASU CITY, it is agreed by both parties that the following intersection be added to the existing list of intersections to be operated and maintained as set forth in said Agreement:

On SR 95 at South Palo Verde - MP 183.09 in Lake Havasu City

STATE OF ARIZONA  
ARIZONA DEPARTMENT OF TRANSPORTATION

BY:

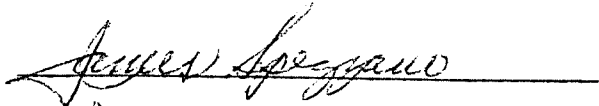
  
State Engineer

DATE:

15 Dec - 1986

LAKE HAVASU CITY

BY:



TITLE:

Mayor

DATE:

December 1, 1986

ATTEST:

  
City Clerk

Date: December 1, 1986



Attorney General

1275 WEST WASHINGTON

Phoenix, Arizona 85007

Robert K. Corbin

INTERGOVERNMENTAL AGREEMENT

DETERMINATION

A. G. Contract No. KR86-2207, which is an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 6 day of January, 1987.

ROBERT K. CORBIN  
Attorney General

[Signature]  
Assistant Attorney General  
Transportation Division